APPENDIX D

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FILED
Feb 25 1985
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY
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Feb 15 11 32 AM '85

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Attorneys for Defendants
GK TRUCKING CORP.; GK TECHNOLOGIES, INCORPORATED; including its division GENERAL CABLE COMPANY; THE PENN CENTRAL CORPORATION; and ROBERT JENSEN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FRANCIS LACINA, et al., *Plaintiffs,* v. **GK TRUCKING, et al.,** *Defendants.*	**CASE NO. CV 82-6272 JMI (Bx)** **JUDGMENT**

ENTERED
FEB 26 1985
CLERK, U. S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

Defendants GK Trucking Corp., GK Technologies, Incorporated, including its division General Cable Company, The Penn Central Corporation and Robert Jensen's motions for reconsideration and summary judgment came on for hearing on February 11, 1985

26 FEB 1985

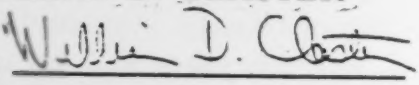
before the Court, the Honorable James M. Ideman, United States District Judge, presiding. On the same date, plaintiffs' motion for summary judgment was heard. The Court, having considered all matters and evidence submitted in support of and in opposition to the motions, and the issues having been duly heard and a decision duly rendered and in accordance with the findings of fact and conclusions of law herewith:

IT IS ORDERED AND AJUDGED that defendants GK Trucking Corp., GK Technologies, Incorporated, including its division General Cable Company, The Penn Central Corporation and Robert Jensen's motions br granted, that plaintiffs' motion for summary judgment be denied, that Case No. CV-82-6272 JMI (Bx) be dismissed as to said defendants, that plaintiffs take nothing by way of their first amended complaint, that said defendants be awarded their costs of suit, and that, pursuant to Federal Rule of Civil Procedure 11, plaintiffs' counsel shall pay to defendants, by 5:00 p.m. on February 25, 1985, the sum of $1,000.

Dated: February 22, 1985

UNITED STATES DISTRICT JUDGE

Submitted by:
GIBSON, DUNN & CRUTCHER
DAVID A. CATHCART
WILLIAM D. CLASTER

BY: 

Attorneys for Defendants
GK TRUCKING CORP.; GK TECHNOLOGIES, INCORPORATED, including its division GENERAL CABLE COMPANY; THE PENN CENTRAL CORPORATION; and ROBERT JENSEN

PROOF OF SERVICE BY MAIL

I, Victoria A. Robinson,

I am a citizen of the United States and am employed in the County of Orange, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 800 Newport Center Drive, Suite 600, Newport Beach, California 92660, in said County and State; on the 14th day of February, 1985, I served the within

ORDER

on the following by placing a true copy thereof in an envelope addressed as follows:

Gregory G. Petersen, Esq.
Petersen & Ferguson
600 West Santa Ana Boulevard
P.O. Box 700
Santa Ana, CA 92701

and then sealing said envelope and deposition the same, with postage thereon fully prepaid, in the mail at Newport Beach, California; that there is regular communication between the place of mailing and the place so addressed.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on February 14, 1985, at Newport Beach, California.

Victoria A. Robinson

Victoria A. Robinson

PROOF OF SERVICE BY MAIL

State of California

ss.

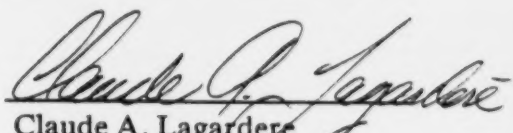
County of Los Angeles

I, the undersigned, say: I am and was at all times herein mentioned, a citizen of the United States and a resident of the County of Los Angeles, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is 10835 Santa Monica Boulevard, Los Angeles, California 90025; that on April 23, 1987, I served the within *Petition for Writ of Certiorari* in said action or proceeding by depositing true copies thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as follows:

Clerk, United States
Supreme Court
One First Street, N.E.
Washington, D.C. 20543
(Original + 40 Copies)

William D. Claster, Esq.
Gibson, Dunn & Crutcher
800 Newport Center Drive
Suite 700
Newport Beach, CA 92660
(3 Copies)

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 23, 1987, at Los Angeles, California.



Claude A. Lagardere
(Original signed)